

# Exhibit E

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

**NEXTGEAR CAPITAL, INC.,**

an Indiana company,

Plaintiff,

v.

Case No.

**JOHN YURKOVICH AUTO SALES, INC.,**

a Michigan company, and

**JOHN YUKOVICH**, individually,

Defendants.

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Daniel N. Sharkey (P53837)  
Brad A. Danek (P72098)  
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Attorneys for Plaintiff

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**ORDER RESTRAINING DISPOSITION OF COLLATERAL PENDING  
HEARING ON PLAINTIFF'S MOTION FOR POSSESSION OF  
COLLATERAL PENDING FINAL JUDGMENT**

At a session of said Court held in the City of  
Detroit, County of Wayne and State of  
Michigan on:

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PRESENT: HON. \_\_\_\_\_

District Court Judge

Plaintiff NextGear Capital, Inc. (“NextGear”), filed a Verified Motion and Brief for Possession Pending Final Judgment and for a Temporary Order Pending Hearing pursuant to Fed. R. Civ. P. 64, MCL § 600.2920, and MCR 3.105 (the “Motion”). The Court, having reviewed the Motion and being otherwise fully advised on the premises:

**IT IS HEREBY ORDERED THAT:**

1. John Yurkovich Auto Sales, Inc. (“JYAS”) and anyone acting in concert with JYAS or with actual or constructive knowledge of this Order are prohibited from using, operating, damaging, destroying, concealing, hypothecating, selling, transferring, giving away, altering or otherwise disposing of the following Vehicles, except as strictly necessary to ensure they are in a secure, covered and enclosed location or as is otherwise necessary to prevent waste, until further Order of the Court:

1. 2007 Ford Focus, VIN 229427, Stock #554
2. 2007 Pontiac G6, VIN 102573, Stock #556
3. 2002 Ford Focus, VIN 109953, Stock #560
4. 2006 Chrysler Town & Country Touring Signature, VIN 738974, Stock #561
5. 2005 Dodge Durango, VIN 510795, Stock #592
6. 2004 Cadillac DeVille, VIN 126115, Stock #596
7. 2004 Cadillac SRX, VIN 165241, Stock #597
8. 2002 Ford Ranger, VIN A74737, Stock #602
9. 2005 Chevy Trailblazer, VIN 276655, Stock #604
10. 2000 Chevy Montana, VIN 285371, Stock #608
11. 2003 Chrysler PT Cruiser, VIN 619934, Stock #609
12. 1998 Ford Mustang, VIN 208711, Stock #610
13. 2003 Chrysler Town and Country, VIN 241525, Stock #612

- 14.2000 Ford E350, VIN B26780, Stock #614
- 15.2004 Pontiac Grand Am, VIN 245597, Stock #619
- 16.1985 Lincoln TownCar, VIN 666860, Stock #621
- 17.2001 Ford F150, VIN E49140, Stock #623
- 18.2004 Ford Explorer, VIN B17384, Stock #624
- 19.2007 Chrysler PT Cruiser, VIN 557762, Stock #625
- 20.2004 Ford F150, VIN A44386, Stock #632
- 21.2007 Cadillac DTS, VIN 183103, Stock #635
- 22.2006 Hummer H3, VIN 282843, Stock # 638
- 23.2006 Chevy Aveo, VIN 577252, Stock #639
- 24.2008 Chrysler Town & Country Touring, VIN 844342, Stock #641

2. JYAS shall appear on \_\_\_\_\_ and to Show Cause why this Court should not grant Plaintiff's Motion and award NextGear immediate possession of above listed vehicles pending final judgment.

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DISTRICT COURT JUDGE

DATED: \_\_\_\_\_